*SPACE RESERVED FOR WASHINGTON CO. RECORDERS USE*

**BEFORE THE PLANNING COMMISSION FOR THE CITY OF BEAVERTON, OREGON**

**After recording return to:**
City of Beaverton, City Recorder:
P.O. Box 4755
Beaverton, OR 97076

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| IN THE MATTER OF A REQUEST FOR APPROVAL OF A DESIGN REVIEW THREE APPLICATION FOR THE CONSTRUCTION OF A NEW WAREHOUSE BULIDING AND ASSOCIATED SITE IMPROVEMENTS (STANDARD BAG INDUSTRIAL BULIDING 2), VLMK ENGINEERING + DESIGN, APPLICANT. | ORDER NO. 2427<br>DR2015-0078 ORDER APPROVING STANDARD BAG INDUSTRIAL BUILDING 2 |

The matter came before the Planning Commission on September 30, 2015, on a request for approval of a Design Review Three for construction of a new warehouse building, associated site improvements and improvements to the commonly owned stormwater tract. The subject property is located on and to the west of 1800 SW Merlo Drive and is specifically identified as Tax Lots 100, 300, 400, 500 and 600 on Washington County Assessor's Map 1S1-06DD.

Pursuant to Ordinance 2050 (Development Code), Section 50.45 the Planning Commission conducted a public hearing and considered testimony and exhibits on the subject proposal.

The Commission discussed requirements for the applicant to provide sidewalks in areas where work is to occur, particularly along stormwater Tract A. The Commission found that the applicant must meet the sidewalk standards for areas where work is occurring, including the new warehouse building site and Tract A in order to meet the

Design Review Guidelines. To address this issue, the Commission amended condition of approval 24 to clarify the areas of required ten foot wide sidewalks and street trees.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated September 23, 2015, Supplemental Memorandum dated September 30, 2015 and the findings contained therein, as applicable to the approval criteria contained in Section 40.20.15.3.C of the Development Code.

Therefore, **IT IS HEREBY ORDERED THAT DR2015-0078** is **APPROVED** based on the testimony, reports and exhibits, and evidence presented during the public hearing on the matter and based on the facts, findings, and conclusions found in the Staff Report dated September 23, 2015, Supplemental Memorandum dated September 30, 2015, and this Land Use Order, and subject to the conditions of approval as follows:

**A. Prior to any work beginning on-site and issuance of a Site Development Permit, the applicant shall:**

1. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./JJD)
2. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)

4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, facility plantings, emergency vehicle access and common driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)

5. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. If the proposed storm water management facility tract is not a part of the replat, then a public surface water management facility easement to the City must be submitted and recorded prior to permit issuance. (Site Development Div./JJD)

6. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to the 170th Avenue right of way. (Site Development Div./JJD)

7. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)

8. Submit a detailed water demand analysis (fire flow calculations) in accordance with the requirements of the Fire Code as adopted by the Tualatin Valley Fire and Rescue. If determined to be needed by the City Building Official, this analysis shall be supplemented by an actual flow test and evaluation by a professional engineer (meeting the standards set by the City Engineer as specified in the Engineering Design Manual Chapter 6, 610.L). The analysis shall provide the available water volume (GPM) at 20 psi residual pressure from the fire hydrant nearest to the proposed project. (Site Development Div./JJD)

9. Submit a copy of issued permits or other approvals needed from the Tualatin Valley Water District for public water system construction, backflow prevention facilities, and service extensions. (Site Development Div./JJD)

10. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./JJD)

11. Submit plans for erosion control per 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements to the City. The applicant shall use the 2006 plan format per requirements for sites between 1 and 4.99 acres adopted by DEQ and Clean Water Services. (Site Development Div./JJD)

12. Provide final construction plans and a final storm water report, demonstrating full compliance with City storm detention requirements (per Section 330, of City Ordinance 4417) and with CWS Resolution and Order 2007-020 in regard to development water quality treatment. (Site Development Div./JJD)

13. Provide a detailed drainage analysis of the subject site and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event in addition to any mapped FEMA flood plains and flood ways. (Site Development Div./JJD)

14. Provide construction plans that show how each lot will be independently served by utility systems as required by the City Engineer and City Building Official per City standards. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot's paved area to another lot's paved area shall not be considered a direct plumbing service. (Site Development Div./JJD)

15. Submit a design for any proposed retaining walls surrounding, adjacent, and within the storm water management facility designed by a civil engineer or structural engineer for the expected hydrological conditions of the pond. These retaining walls shall be watertight for all areas of earthen fill or where deemed necessary by the City Engineer. Additionally, these walls shall be designed as poured-in-place, reinforced, 4000 PSI, Portland cement concrete with cobblestone face texturing, or a City Engineer approved equivalent, and with minimum 18-inch wide, stem-top walkway at the top of each wall. Provide increased detention volume that is required as the result of the site development application plan review process as determined by the City Engineer.

    City Engineering staff have reviewed the preliminary reports concerning proposed storm water management and find that adequate volume may not be available in the proposed surface facility to meet City standards during the 25 year event; however, such capacity can be provided by additional volume in pipes, underground structures, or with other minor modifications of the proposed surface facilities as reflected within the land-use application submittal. The outlet structure shall also provide flow attenuation during the 2 and 10 year events per City standards. Alternatively, the applicant can request a fee-in-lieu of detention provision to the City Engineer upon showing adequate downstream capacity to the Beaverton Creek floodplain. This land-use approval shall provide for such minor surface modifications (revised or additional retaining walls and site grade changes less than four vertical feet variance) without additional design review or other land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div/JJD)

16. Submit a revised grading plan showing the proposed building lowest finished floor elevation (and the elevation of any other proposed improvement subject to flood damage) is at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities. Additionally, the minimum finished floor elevation shall be established and clearly documented on all building and site development plan sheets that include elevations and/or contours. This land-use approval shall provide for minor grade changes less than four vertical feet variance to comply with this condition without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./JJD)

17. Submit plans that show access for a maintenance vehicle within 6-feet from the front, or within 15-feet from the side of a vehicle to all storm water management control structures unless otherwise specifically approved by the City Engineer. A direct worker access route to the structures in the pond area shall be provided no steeper than 4(horizontal) to 1 (vertical) slope. This direct route shall be a minimum of 6-feet wide and have a surface consisting of the equivalent of 3-inches of ¾"-minus crush rock (to allow walking access in winter) and vegetation shall allow easy access. This direct access route shall be delineated on the plans. (Site Development Div./JJD)

18. Submit to the City a certified impervious surface determination of the proposed project by the applicant's engineer, architect, or surveyor. The certification shall include an analysis and calculations of all impervious surfaces as a total for the development and for each proposed final lot. Specific types of impervious area totals, in square feet, shall be given for buildings, parking lots/driveways, sidewalk/pedestrian areas, storage areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area on each lot. (Site Development Div./JJD)

19. Pay a storm water system development charge (a: overall system conveyance; and b: quantity if detention fee-in-lieu is approved) for any net new impervious area proposed for the entire project. (Site Development Div./JJD)

20. Provide plans for street lights (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director) and for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)

21. Provide plans showing a City standard commercial driveway apron at the intersection of any private, common driveway and a public street. (Site Development Div./JJD)

22. Provide plans that show the installation of street lighting to meet the City's standards along SW Menlo Dr. (Transportation / KR)

23. Provide plans that show the installation of bicycle parking to meet the City's bicycle parking standards. (Transportation / KR)

24. Provide plans showing the installation of a 10 foot wide sidewalk with trees in tree wells at the front of the sidewalk adjacent to Tract A along Merlo Drive and in the area of new construction. In addition trees are to be placed along Tract A and 170th Avenue. The area outside the existing right-of-way may be placed in a public access easement which must be shown on the plat. (Transportation / KR)

25. Provide plans that show the wheelstops for the parking spaces adjacent to the walkway west of the building are placed so that the 3' of bumper overhang will not intrude more than 2', leaving at least 4' of unobstructed width for pedestrians. (Transportation / KR)

26. FIRE APPARATUS ACCESS ROAD DISTANCE FROM BUILDING AND TURNAROUNDS: Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. (OFC 503.1.1) This proposal includes an alternative as described. It includes complying aerial access at the front of the building on Merlo Rd. and a complying turnaround at the end of the west side driveway. This would require an emergency vehicle access easement because it crosses a property line. The increase hose pull length is allowed because of increased hose length installed on fire apparatus and the ability to use the Tri-Met easement behind the building. (TVF&R/JF)

27. DEAD END ROADS: Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround. (OFC 503.2.5) Turnaround provided. (TVF&R/JF)

28. AERIAL FIRE APPARATUS ACCESS: Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 30 feet in height. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. (OFC D105) Aerial access is required for this project and will be provided along Merlo Rd. (TVF&R/JF)

29. FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE: Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (12 feet for up to two dwelling units and accessory buildings), and an unobstructed vertical clearance of not less than 13 feet 6 inches. Where fire apparatus roadways are less than 26 feet wide, "NO PARKING" signs shall be installed on both sides of the roadway and in turnarounds as needed. Where fire apparatus roadways are more than 28 feet wide but less than 32 feet wide, "NO PARKING" signs shall be installed on one side of the roadway and in turnarounds as needed. Where fire apparatus roadways are 32 feet wide or more, parking is not restricted. (OFC 503.2.) The fire district does not endorse the design concept wherein twenty feet of unobstructed roadway width is not provided. (TVF&R/JF)

30. SURFACE AND LOAD CAPACITIES: Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). You may need to provide documentation from a registered engineer that the design will be capable of supporting such loading. (OFC D102.1) Fire lane and turnaround must meet these requirements. (TVF&R/JF)

31. TURNING RADIUS: The inside turning radius and outside turning radius shall be not less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & 103.3) (TVF&R/JF)

32. PAINTED CURBS: Where required, fire apparatus access roadway curbs shall be painted red and marked "NO PARKING FIRE LANE" at approved intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background. (OFC 503.3) Painted curbing will be required to delineate the fire lane and associated turn around. (TVF&R/JF)

33. FIRE HYDRANT/FIRE DEPARTMENT CONNECTION: A fire hydrant shall be located within 100 feet of a fire department connection (FDC). Fire hydrants and FDCs shall be located on the same side of the fire apparatus access roadway and or drive aisle. FDCs shall normally be remote except when approved by the fire code official. Fire sprinkler FDCs shall be plumbed to the fire sprinkler riser downstream of all control valves. Each FDC shall be equipped with a metal sign with 1 inch raised letters and shall read, "AUTOMATIC SPRINKLERS OR STANDPIPES" or a combination there of as applicable. (OFC 912.2) A hydrant is required on the street side of the development and within 100 feet of the FDC. Access between the hydrant and FDC shall not cross roadways and/or driveways. (TVF&R/JF)

34. ANGLE OF APPROACH AND DEPARTURE: The angles of approach and departure for fire apparatus roads shall not exceed 8 Degrees. (OFC 503.2.8, NFPA 1901) (TVF&R/JF)

35. Ensure that all associated applications, including Replat One and Tree Plan Two have been approved and are consistent with the submitted plans. (Planning Division/JF)

36. Provide a revised lighting plan showing compliance with the Technical Lighting Standards of the Development Code. (Planning/JF)

**B. Prior to Building Permit issuance, the applicant shall:**

37. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)

38. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)

39. Have a professional architect, engineer, or surveyor submit plans and specifications to the City Engineer and City Building Official verifying that all at-risk elements of the new construction are at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water conveyance and management facilities. The overflow elevation and one-foot-higher minimum finished floor elevation shall be established and clearly documented on all building and site development plan sheets that include elevations and/or contours. (Site Development Div./JJD)

40. Have submitted the paper copies of the draft final plat needed for City review and to the County Surveyor to begin processing. (Site Development Div./JJD)

41. Show all rooftop mechanical equipment is screened from view of the public rights-of-way in accordance with Section 60.05.15.5 of the Development Code. (Planning/JF)

**C. Prior to Occupancy, the applicant shall:**

42. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)

43. Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div./JJD)

44. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)

45. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div./JJD)

46. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)

47. Have obtained a Source Control Sewage Permit from the Clean Water Services District (CWS) and submitted a copy to the City Building Official if an Industrial Sewage permit is required, as determined by CWS. (Site Development Div./JJD)

48. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning Div./JF)

49. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (Planning Div./JF)

50. Ensure all landscaping approved by the decision making authority is installed. (Planning Div./JF)

51. Ensure all landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. (Planning Div./JF)

52. Ensure that the planting of all approved deciduous trees, except for street trees or vegetation approved in the public right-of-way, has occurred. Deciduous trees shall have straight trunks and be fully branched, with a minimum caliper of 1-1/4 inches and a minimum height of 8 feet at the time of planting, except that dwarf and compact varieties may be may be approved at any size. Deciduous trees may be supplied bare root provided the roots are protected against damage. Each tree is to be adequately staked. (Planning Div./JF)

53. All mechanical units, roof or ground mounted, must be screened from view of public streets and adjacent properties. (Planning Div./JF)

**D. Prior to release of performance security, the applicant shall:**

54. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)

55. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment/replacement of the vegetation and restoration of full function within the private surface water management facility area, as determined by the City Engineer. If the plants are not well established or the facility not properly functioning (as determined by the City Engineer) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record or landscape architect that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Engineer prior to release of the security. (Site Development Div./JJD)

Motion **CARRIED**, by the following vote:

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| **AYES:** | Wilson, Maks, Kroger, Doukas, , Nye, Overhage, and Winter. |
| **NAYS:** | None. |
| **ABSTAIN:** | None. |
| **ABSENT:** | None. |

Dated this 8th day of October, 2015.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2427 an appeal must be filed on an Appeal form provided by the Director at the City of Beaverton's Community Development Department's office by no later than 4:00 p.m. on October 19, 2015.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

JANA FOX
Associate Planner

APPROVED:

MIMI DOUKAS
Chair

SANDRA MONSALVE, AICP
Planning Manager